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Pattern of conferences

Subsidiary bodies authorized to meet away from their established headquarters in accordance with section I, paragraph 4, of General Assembly resolution 40/243

Report of the Secretary-General

I. Introduction

1. In paragraph 20 of its resolution 48/222 A of 23 December 1993, the General Assembly requested the Secretary-General to review the legal basis and experience of all subsidiary bodies that meet away from their established headquarters, thus constituting a departure from General Assembly resolution 40/243 of 18 December 1995, and to report thereon to the Assembly at its forty-ninth session through the Committee on Conferences. The report in question is contained in document A/49/212.

2. In paragraph 8 of its resolution 51/211 A of 18 December 1996, the General Assembly invited all its subsidiary bodies that are authorized to meet away from their established headquarters to review, in the interests of improved efficiency and cost-effectiveness, the exception to the headquarters rule in the light of the current situation of their work, and to make recommendations thereon, through the Committee on Conferences, to the Assembly at its fifty-second session.

3. In paragraph 9, the Assembly invited the Economic and Social Council to request all its subsidiary bodies to carry out the same review referred to in the preceding paragraph.

4. The present report, which is submitted in response to the aforementioned invitations, was prepared on the basis of written replies received from the bodies in question. It is in fact an updated version of document A/49/212, which contains background information that may be of use in consideration of the matter. Replies received after the submission of the report will be presented in an addendum.

II. Replies received from subsidiary bodies that meet away from their established headquarters

A. Executive Board of the United Nations Development Programme/United Nations Population Fund

5. In paragraph 4 (a) of its resolution 40/243, the General Assembly laid down that the regular sessions of the

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Governing Council of the United Nations Development Programme (UNDP) shall be held alternately at United Nations Headquarters and at the United Nations Office at Geneva. The open-ended ad hoc working group on rules of procedure for the Executive Board of UNDP and the United Nations Population Fund, established by Board decision 96/25 of 15 May 1996, reviewed, *inter alia*, the issue of the location of the Board's annual meeting, which was convened every other year at Geneva, and recommended that the arrangement be continued. At its annual session of 1997, the Executive Board adopted its rules of procedure, which specify the alternating pattern of venues initially laid down in resolution 40/243.

B. International Law Commission

6. In its resolution 984 (X) of 3 December 1955, the General Assembly decided to amend article 12 of the statute of the International Law Commission (ILC) as follows:

> "The Commission shall sit at the European Office of the United Nations at Geneva. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General."

7. Subsequently, in paragraph 4 (b) of its resolution 40/243, the General Assembly laid down that the sessions of ILC shall be held at the United Nations Office at Geneva.

C. United Nations Commission on International Trade Law

8. The experience of the past three years has confirmed that the continued involvement of the permanent missions in New York by virtue of the alternating pattern of meetings in New York and Vienna is still of vital importance to the work of the United Nations Commission on International Trade Law (UNCITRAL) and the acceptability of its legal texts. The authorization to hold every second meeting of the Commission and its Working Groups in New York ensures the continued long-term and coordinated involvement of legal experts from the permanent missions, which is especially relevant for developing and newly emerging countries.

9. Representation of States continued to be better in New York than at Vienna, and meetings in New York were attended by considerably more legal experts from the permanent missions. It may be noted that the representation continued to be markedly better as regards the number of representatives listed, and even more so in terms of actual presence in the meeting room and active participation.

10. The work of UNCITRAL continued to be predominantly followed and coordinated by missions in New York, as more States have missions there, and considerably more missions in New York have a legal expert on their staff.

11. Broad representation in meetings of UNCITRAL is of critical importance to its work, as the main goal of the Commission is to elaborate legal texts that are universally acceptable to States of all regions and with different legal and economic systems. In addition, the long-term and coordinated involvement of interested Governments is necessary in view of the fact that the task of elaborating such texts takes five and often more years. It may be noted that, in view of the technical nature of the work topics of UNCITRAL, such involvement is best carried out by lawyers. Those observations apply in particular to developing and newly emerging countries that tend to have missions in New York but not at Vienna. The same is true of those States that cannot afford to send a specialist lawyer from their capital, but must rely on their mission staff in New York.

12. If the traditional and highly beneficial involvement of the missions in New York were to be terminated, the broad participation of developing States, which constitutes the most distinct hallmark of the unification of world trade law carried out by UNCITRAL, would be clearly endangered. It may be noted that with the emergence of a number of new States and the globalization of trade, the participation of developing and newly emerging States has taken on additional importance for their economic development and the preservation of world peace.

13. In addition to the foregoing, the alternating pattern of meetings has proved to be beneficial in other respects. The Commission's training and technical assistance programme, which has taken on increased importance with the emergence of economies in transition from a centrally planned system to a market system, is greatly facilitated through useful contacts made during the sessions held in New York. Moreover, the meetings in New York make it possible for the secretariat to organize events useful not only to disseminate the work of the Commission, but also to tap the local expertise available with regard to trade law matters, without any additional cost to the Organization.

D. International Civil Service Commission

14. The current situation as regards the organizations participating in the work of the International Civil Service Commission and the distribution of staff of those organizations by location is the same, substantially, as in 1975. As the General Assembly has noted in the recent past, the need for Commission members to maintain close contact with all organizations, their legislative or governing bodies and their staff has never been greater. Arranging for venues of its meetings on a rotating basis continues to provide a unique opportunity for members to understand the problems faced by the executive heads and staff of the organizations headquartered at various locations. This has also provided an opportunity for the executive head(s) at a particular location to participate in Commission meetings and apprise the Commission of the organization's mission and concerns. The organizations have also felt that the rotation of venues has enabled their staff to observe the functioning of the Commission on a first-hand basis. The Commission is therefore of the view that the exception to the headquarters rule authorized by the General Assembly since the inception of the Commission in 1975 should continue to be granted in the future, and recommends to the General Assembly to authorize it to accept invitations from participating organizations to hold a session or sessions at their headquarters in years when more than one session is held.

E. Conference on Disarmament

15. The special nature of the Conference on Disarmament was reaffirmed by the General Assembly in paragraph 5 of its resolution 47/54 G of 8 April 1993, by which the Assembly:

> "Notes the fact that the Conference on Disarmament, as the single global disarmament negotiating forum, is a body of limited composition taking its decisions on the basis of consensus and maintains its special status in relationship with the United Nations disarmament machinery."

16. From its inception in 1959, the body's recognized and established headquarters has been the United Nations Office at Geneva. Moreover, it should be noted that the five permanent members of the Security Council, as well as Belgium, Canada, Finland, Germany, Italy, Japan, the Netherlands, Spain and Switzerland, have established at Geneva special missions accredited to the Conference on Disarmament and headed by ambassadors. The other members of the Conference have appointed specialized staff members who represent them in the Conference.

F. Ad Hoc Group of Experts on International Cooperation in Tax Matters

17. The Ad Hoc Group of Experts on International Cooperation in Tax Matters was set up by the Secretary-General in response to Economic and Social Council resolution 1273 (XLIII) of 4 August 1967. The Ad Hoc Group has always been convened at Geneva, owing to financial considerations: most of the participants attending the meetings are geographically closer to Europe, enabling the secretariat to reduce costs. Moreover, as its sessions are convened in December, the Ad Hoc Group would have to compete for services at Headquarters during the General Assembly session.

G. Working Group on International Statistical Programmes and Coordination

18. The Working Group on International Statistical Programmes and Coordination has held its last two, and three of its last four, meetings in New York. Its next meeting, in February 1998, is also scheduled to be held in New York. The Working Group intends to hold all of its future meetings in New York.

H. Committee for Development Planning – Working Group

19. At its recent thirty-first session, the Committee for Development Planning reviewed its practice of occasionally holding one of the annual meetings of its Working Group at venues other than New York. The Committee concluded that when deliberations on the subject matter dealt with by one of its Working Groups could be enhanced by the expertise available in the secretariats of other organizations of the United Nations system, it was highly cost-effective to hold such meetings at other United Nations duty stations. The Committee recommends that this practice should continue when justified on substantive grounds.

I. Commission on Narcotic Drugs: Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East

20. By its resolution 1992/28 of 30 July 1992, the Economic and Social Council decided that the Subcommission should, in principle, meet annually for a period of five days in one of the countries covered by the region of the Subcommission. Recently, meetings of the Subcommission have been held at Amman (1996) and at Baku (1997). Such regional meetings continue to be particularly useful in enabling regional and subregional coordination among national operational agencies involved in drug-trafficking countermeasures.

21. A letter of agreement between a Government hosting a meeting of the Subcommission and the United Nations is signed prior to each meeting, in particular with a view to implementing the provisions of section I, paragraph 5, of resolution 40/243, as applicable.

J. "Cooperation" meetings between the Secretariat and the secretariat of the Organization of African Unity

22. In paragraph 24 of its resolution 51/151 of 13 December 1996, the General Assembly requested the convening of a meeting to be held at Addis Ababa in 1997 between the Secretariat and the secretariat of the Organization of African Unity (OAU). The objective of the meeting is to review and evaluate the progress in the implementation of the existing programmes of cooperation between the two organizations and to adopt measures for new and effective joint action.

23. Since 1980, the majority of the meetings between the two secretariats have been held at Addis Ababa. As nearly all United Nations programmes, organizations and agencies have representatives at Addis Ababa, the headquarters of OAU, the convening of the meetings there was considered to be cost-effective for participants from the United Nations system and from OAU. It is with this in mind that the sponsors and supporters of General Assembly resolutions on cooperation between the United Nations and OAU have in recent years ensured that Addis Ababa is mentioned in the relevant resolutions as the venue of the meetings.

K. "Cooperation" meetings between the Secretariat and the secretariat of the Organization of the Islamic Conference

24. "Cooperation" meetings between the Secretariat and the secretariat of the Organization of the Islamic Conference are mandated by General Assembly resolutions. Until 1995, such resolutions mandated annual general meetings of the two organizations. However, as an economy measure, the Assembly, in its resolution 50/17 of 20 November 1995, recommended that the meetings should henceforth take place once every two years, and that meetings of focal points of the specialized agencies of the two organizations, which, until that time, had taken place every other year, be held concurrently with the biennialized general meetings of the United Nations and the Organization of the Islamic Conference.

25. Moreover, General Assembly resolutions on cooperation between the two organizations have also traditionally called on them to consult with one another on an appropriate date and venue for the convening of each general meeting (although resolution 48/24 of 24 November 1993 did, as an exception, specifically recommend that one such meeting should be held at Geneva in May 1994). The ensuing consultations between the two organizations and their specialized agencies have, on each occasion, led to mutual agreement on Geneva as the appropriate venue for the general meeting.

26. Geneva is viewed by both organizations to be a more cost-effective venue than New York in the light of the fact that many of the specialized agencies of the United Nations system, whose representatives constitute the majority of the meetings' participants, are located there. Geneva is also closer in location to the headquarters of the Organization of the Islamic Conference (Jeddah) and its specialized institutions.

27. It is therefore recommended that, for reasons of cost-effectiveness for both organizations, Geneva should be maintained as the venue for general meetings between the United Nations and the Organization of the Islamic Conference, which, as noted above, have now been biennialized.

L. "Cooperation" meetings between the Secretariat and the secretariat of the League of Arab States

28. The meetings on cooperation between the Secretariat and the general secretariat of the League of Arab States have taken place at Geneva or Vienna primarily because a large number of United Nations agencies and programmes are based in those cities. That arrangement results in minimal cost to the Organization. Only two officers from Headquarters travel to Europe.

29. Should the United Nations decide to hold the meetings in New York, that action might result in a request on the part of the League to convene them in Cairo, the headquarters of the League of Arab States, which could increase substantially overall United Nations expenses for travel and lodging. Moreover, Geneva and Vienna are well prepared to host the "cooperation" meetings, and both venues are more or less midway between New York and Cairo.

M. Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

30. While the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories is a General Assembly organ, its mandate is serviced by the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights at its headquarters at Geneva, which provides the Special Committee with its secretariat.

31. The Special Committee reports that, since its establishment in 1968, it has repeatedly tried to obtain the cooperation of the Government of Israel, but has consistently been denied such cooperation, and thereby access to the occupied territories. The Special Committee has therefore been obliged to base its reports on relevant written material, as well as on the testimony of persons having first-hand and recent experience of the human rights situation in the occupied territories, which it hears in Egypt, Jordan and the Syrian Arab Republic. The Special Committee holds three annual meetings, two of which are convened at the headquarters of its secretariat, at Geneva, while the second series of meetings is combined with a fact-finding mission to the area in order to hear testimonies.

N. Commission on Human Rights: Working Group on Enforced or Involuntary Disappearances

32. The Working Group on Enforced or Involuntary Disappearances is one of the extra-conventional mechanisms established by the Commission on Human Rights. Its main purpose is to deal with individual cases of disappearances, trying to assist the relatives of disappeared persons to ascertain the fate and whereabouts of their missing family members. For this purpose, the Group receives and examines reports on disappearances submitted by relatives of missing persons or human rights organizations acting on their behalf. An important number of cases before the Working Group are from Latin America. In view of the importance the Group attaches to direct contacts with the families of the persons who have disappeared and the organizations representing them, the Group has traditionally met once a year in New York, because it has always been easier for sources, particularly in the Americas, to go to New York than to Geneva. In fact, many of them would never meet with the Working Group if they had to bear the expense of travel to Geneva.

33. In addition, a number of Governments with cases of disappearances pending before the Working Group do not have a permanent mission at Geneva, and it has been most useful for the Working Group to be able to have contact with those missions in New York.

34. The Working Group is most aware of the need to ensure cost-effectiveness and efficiency in carrying out its mandate. However, it believes that in order to fulfil its task, contact with its sources is of paramount importance, and that many organizations that provide it with information would be unable ever to meet with it if it did not hold one session a year in New York.

O. Committee on the Exercise of the Inalienable Rights of the Palestinian People

35. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established by the General Assembly with a mandate to mobilize international support for, and assistance to, the Palestinian people and to heighten awareness of all aspects of the question of Palestine by organizing forums aimed at facilitating the consideration of relevant issues and promoting dialogue among parties concerned, Governments, United Nations bodies, non-

governmental organizations and prominent personalities, including Israelis and Palestinians.

36. In pursuance of those objectives, and on the basis of its mandate renewed by the General Assembly in its resolution 51/23 of 4 December 1996, the Committee will continue to organize seminars, symposiums and international meetings away from Headquarters, in different regions of the world, in order to inform public opinion of the various aspects of the question of Palestine. Relevant provision has been made in the programme budget approved by the General Assembly.

37. The Committee has continued to take steps to enhance its effectiveness and achieve optimal utilization of available resources in the accomplishment of its mandate in the light of changing political circumstances, while taking into account the continued financial crisis of the Organization. While seminars and non-governmental organization meetings held away from Headquarters are not hosted by Governments and are therefore held as an exception to General Assembly resolution 40/243, many of the Governments concerned have given the Committee some facilities free of charge or made financial contributions towards the holding of those meetings.

P. Administrative Committee on Coordination

38. Historically, the Administrative Committee on Coordination has held two meetings a year, alternating between New York and Geneva, although there have been numerous instances where the spring meeting has been hosted by other agencies members of the Committee.

Q. United Nations Administrative Tribunal

39. Since its establishment, the Administrative Tribunal has held one session a year at Geneva, in spring or summer, and one session in New York, in autumn. It has on occasion held an extraordinary session.

40. The reasons for alternating the annual sessions between New York and Geneva include the effort to balance the onus of travel for members of the Tribunal and, most important, the fact that a large proportion of staff to whom the Tribunal is open are located at duty stations in Europe (Geneva and Vienna) and Africa.

R. United Nations Joint Staff Pension Board, Standing Committee and Committee of Actuaries

41. The United Nations Joint Staff Pension Fund is an inter-agency entity consisting of 19 member organizations, of which the United Nations is one. The Pension Board is a tripartite body with equal representation of the governing bodies, the executive heads and participants of the member organizations of the Fund. It has been the established practice of the Board to hold its session at the headquarters of various member organizations of the Fund on a more or less rotational basis, in response to invitations from individual member organizations. The Board currently meets biennially, in even-numbered years. The International Atomic Energy Agency (IAEA) hosted the session of the Board at Vienna in 1994, and the International Labour Organization was host at Turin, Italy, in 1996. The date and venue for 1998 have yet to be determined.

42. The Standing Committee of the Board usually meets at the end of each regular Board session and, in lieu of the Board, in odd-numbered years, to deal with matters delegated to it by the Board. In odd-numbered years, the Standing Committee normally meets in New York. The Committee of Actuaries, which advises the Board and/or the Standing Committee on actuarial matters, meets annually in New York for three or four days.

43. The costs of services and facilities for Board sessions or Standing Committee meetings held outside New York, which the host organizations are unable to meet in full, are shared by the member organizations of the Fund. Such additional costs have not been significant over the years, as host organizations have often been able to provide fully the services and facilities without charge to the Fund.

S. Advisory Committee on Administrative and Budgetary Questions

44. In accordance with long-standing practice and the requirements of Article 17, paragraph 3, of the Charter of the United Nations, the Advisory Committee from time to time travels in order to meet with specialized agencies of the United Nations and the International Atomic Energy Agency at their headquarters. The Advisory Committee occasionally also travels in order to visit peacekeeping operations, regional commissions and other United Nations Offices away from Headquarters, such as the United Nations Office at Geneva and the United Nations Office at Vienna.

45. The last time the Advisory Committee met away from Headquarters was in 1995. It next plans to travel in 1998. The trips abroad are in the interest of efficiency and good management, as they are in direct pursuit of specific reports required by the General Assembly and other legislative bodies, and enable the Advisory Committee to gain first-hand knowledge of the programmes and operations under review. Owing to the pressure of work at Headquarters, the Advisory Committee cancelled its 1996 round of consultations with the specialized agencies and IAEA. However, it intends to resume that important coordination function as soon as possible.

T. Board of Auditors and Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency

46. General Assembly resolution 1438 (XIV) of 5 December 1959 provides that the cost of the meetings of the Panel of External Auditors shall be borne by participating organizations. The Panel does not in fact have an established headquarters. It normally holds one session each year and alternates its sessions between a United Nations headquarters location and a specialized agency. That pattern is followed in order to ensure equity in the provision of conference-servicing facilities by host organizations.

47. In accordance with part I, paragraphs 1 and 2, of its rules of procedure, the Board of Auditors shall convene annually at Headquarters in June and may convene at such other times and places as may be necessary for the due performance of the duties of the Board at the request of the Chairman on any matter of the Board. A special session of the Board is usually held immediately after the Panel's session at the same venue. That pattern is advantageous in view of the interrelationship between the Board's agenda and the items for consideration by the Panel. Moreover, as the members of the Board are also members of the Panel, additional travel costs are avoided.